

SENATE TAXATION

EXHIBIT NO. 7

DATE 2.10.11

BILL NO. HB 132

From: "Dave and Cindy Abel" <abel@midrivers.com>  
Subject: **132**  
Date: February 9, 2011 7:08:57 AM MST  
To: "Vera-Beth Johnson" <vera-beth@hotmail.com>

Mr. Chairman and Committee Members,

Due to weather conditions I am unable to attend today's meeting.

While HB 132 is being touted as simply a housekeeping bill, nothing could be further from the truth. In the bills title it states to eliminate obsolete language relating to agricultural land and forest land. If this language is eliminated it will make it almost impossible for property owners to show proof of certain classification.

In 15-7-103 D3 striking the sentence: in the classification work use must be made of soil surveys and maps, and all other pertinent available information. would prevent the landowners from having several methods to argue his case.

Please table this bill in the interest of all property owners.

Thank you,  
Dave Abel

From: "Janet Talcott" <hereford@imt.net>  
Subject: **Senate Taxation Committee Regarding HB132**  
Date: February 8, 2011 8:06:14 PM MST  
To: <vera-beth@hotmail.com>

Senate Taxation Committee:

My family has been ranching North of Pompeys Pillar since 1917. I'm the 4th generation. My main concern with the 2009 reappraisal are the AUMs I'm being told I can run on this place. The figures that the DOR show are not profitable or sustainable for a ranch like ours and we've never been able to run anywhere near the number of head the DOR say we can. HB 132 does not address any of the real problems with the 2009 reappraisal.

Vera and Fred Johnson will be addressing a number of these problems at a hearing on February 10, 2011, but my main concern are the AUMS that I have been assessed by the DOR.

I say kill this bill and start over. Two bad bills don't make one good one.

Janet Talcott  
Box 422B  
Worden, MT 59088

February 8, 2011

TO: Senate Taxation Committee  
House Bill No 132

My name is Scott Bowen. My family and I ranch in northeast Yellowstone County, Montana. We appealed and protested our property tax increase that originated from the 2009 Property Tax Reappraisal. We received a favorable adjustment from the Yellowstone County Tax Appeal Board (CTAB). The Montana Department of Revenue appealed the decision to the Montana State Tax Appeal Board (STAB). This appeal is pending, waiting on a hearing date.

House Bill 132 attempts to correct language from the original 2009 property tax reappraisal bill. In my opinion, there are many problems with the 2009 reappraisal that are not addressed in House Bill 132. The major problem with the 2009 reappraisal is the Aum's/Acre. This is one of the factors used to arrive at the "Productivity Value" assessed on a section of property. We think the Aum's/Acre are so out of line, there is no sustainable way to run the Aum's/Acre assessed by the Department of Revenue.

Please consider tabling House Bill 132 in hopes of generating a bill that addresses all the concerns with the 2009 reappraisal of agricultural lands in Montana. I can be contacted at the numbers below for more information.

Thank you,

Scott Bowen  
KS Land Company, LLC  
406-794-1862 phone  
406-967-2870 fax

Tax appeal to State Board of appeals

The NRCS soil survey is inaccurate and not consistent from one survey to another. This survey was used to calculate the tax rates on my ranch. The survey was done across Montana over many years, using many different people and different criteria. This resulted in my taxes in Rosebud County just across the fence being adjusted the same or less than before and Custer County's doubling. The survey also uses total vegetation instead of palatable vegetation this results in an over estimation of carrying capacity. The use of this survey was never intended for tax purpose and needs to be reviewed.

My second point of appeal is concerning the reevaluation of timber land. When my ab26 was denied they simply stated that the forester from Missoula said there really wasn't any timber land in eastern Montana so just call it all rangeland. We took 2.2 million board feet of timber off this non timber land. Now these areas are thrown into the rangeland classification, using the soil survey, that makes no account for all of the trees, juniper, low growing juniper, and various brush species that cause a very large reduction in carrying capacity. If you are not going to call it timberland you must use another classification other than grazing land.

Wayne Milmine

Wayne Milmine

30 Milmine Lane

Sanders Montana

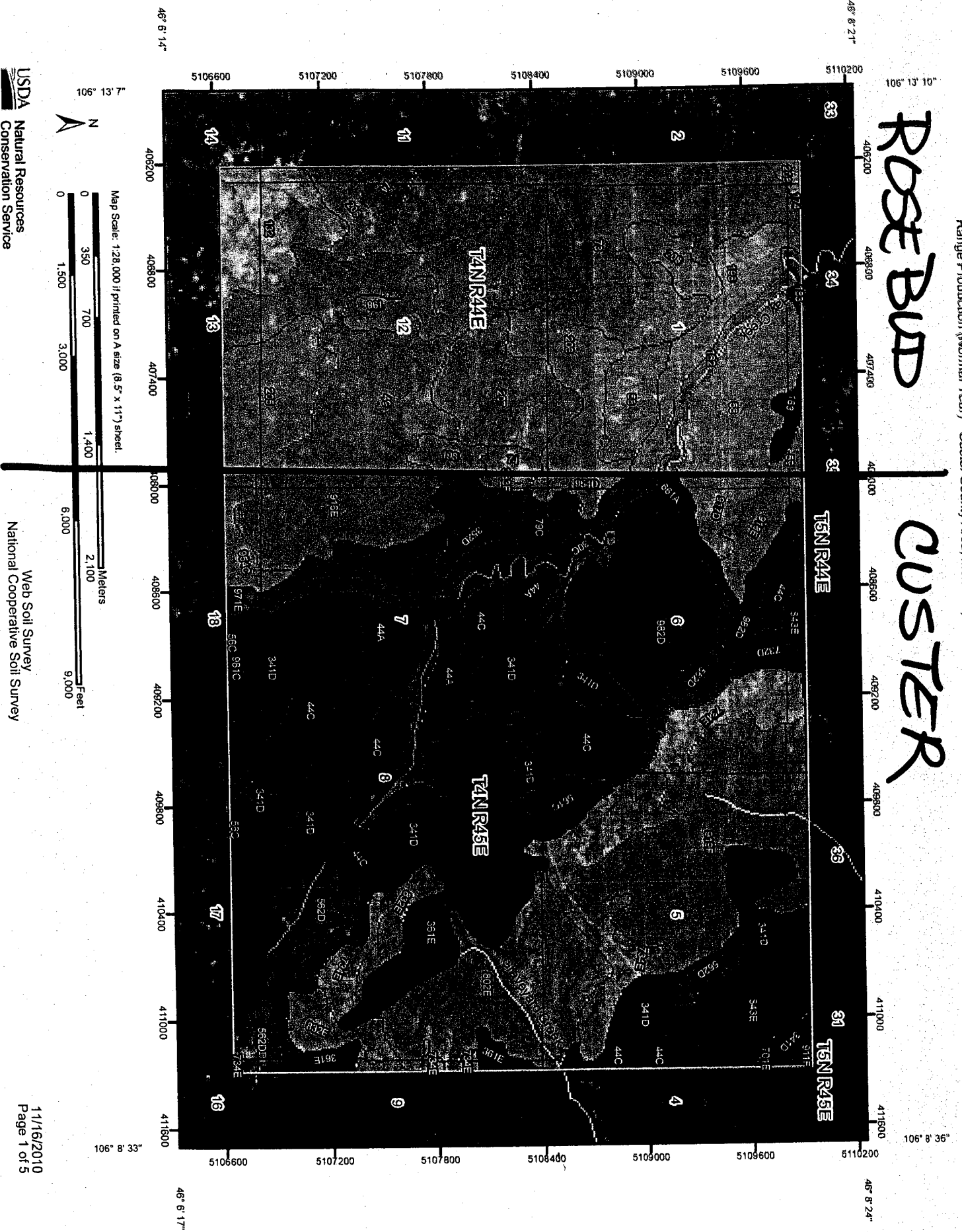
Custer County

351-1126

Range Production (Normal Year)—Custer County Area, Montana, and Rosebud County Area and Part of Big Horn County, Montana

ROSEBUD

CUSTER



February 9, 2011

Dear Chairman and Committee Members,

I do not know whether this bill, HB 132, is the correct vehicle to correct the **HUGE errors** in the NRCS soil survey method.

I do know that the language changes in this bill further solidifies the use only of the NRCS soil survey to determine carrying capacity and disallows the use of other factors.

I recommend that this bill be tabled until these problems can be addressed in this bill or in a new bill.

Thank you for your time and consideration .

Wayne Milmine  
30 Milmine Lane  
Sanders, MT  
CUSTER COUNTY  
406- 351- 1126

DATE: FEBRUARY 08, 2011

TO: REPRESENTATIVE WAYNE STAHL

FROM: ELEANOR PRATT -- PHONE: (406) 947-5050

RE: HB 132 & ANY TAXATION/AGRICULTURE BILL ADDRESSING LAND PRODUCTIVITY

Dear Representative Stahl:

This correspondence is being sent to you in support of my rancher/neighbors who will be in Helena on February 10, 2011, to participate in a hearing for HB 132. I would "ditto" Jeanne Charter's Memo to you, dated February 04, 2011, with emphasis on the method used for re-evaluation.

The following comment on AUM'S relates to the Pratt Family Ranches in Yellowstone County and Valley County.

- - The 2009-2010 Property Tax Re-evaluation MAPS, on both of these ranches, listed AUM'S in EXCESS of the ACTUAL AUM'S. This was reported, in each county, to the DOR and corrections were requested.
- Verification of AUM'S can be made by using the BLM Records and/or by comparing livestock numbers and ages shown on the "REQUIRED" Annual January Report to DOR; and, not by using soil types which are the basis of a "VERY COMPLICATED FORMULA" used by DOR to determine productivity without taking into consideration moisture. The result is unreliable and higher property tax assessments.

The Department of Revenue ALWAYS mentions that there are "FEW PROTESTORS" and they are "CONCENTRATED IN ONLY ONE GENERAL AREA" of northeastern Yellowstone County. Ranching is a 365-Day-a-Year job and you can TRUST ME when I say EVERY RANCHER WOULD PROTEST if there was TIME to RESEARCH, WRITE, TESTIFY, TRAVEL to HELENA and DECIPHER the COMPLICATED RE-APPRAISAL FORMULA!

- CONCLUSION: P L E A S E consider Vera Beth Johnson's information (sent on February 03, 2011) as VERY RELIABLE as she and her neighboring ranchers have spent countless hours researching ranch history, compiling data, making graphs/charts, reading the law, giving testimony, etc.

THANK YOU for YOUR CONCERN and for YOUR HELP!

Sincerely,

